

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:19-CV-316-D

BERKSHIRE LIFE INSURANCE
COMPANY OF AMERICA,

Plaintiff,

v.

AMRIKA RAMPERSAD,

Defendant.

ORDER

On October 21, 2019, plaintiff Berkshire Life Insurance Company of America ("Berkshire" or "plaintiff") moved to dismiss defendant Amrika Rampersad's ("Rampersad" or "defendant") second counterclaim and strike her third and fifth affirmative defenses [D.E. 11] and filed a memorandum in support [D.E. 12]. On November 11, 2019, defendant responded in opposition [D.E. 13]. On November 21, 2019, plaintiff replied [D.E. 14].

For the reasons stated in plaintiff's memorandum of law and reply [D.E. 12, 14], the court GRANTS the motion to dismiss and to strike and dismisses defendant's second counterclaim and strikes her third and fifth affirmative defenses [D.E. 11]. Defendant may file an amended pleading not later than December 13, 2019.

SO ORDERED. This 5 day of December 2019.


JAMES C. DEVER III
United States District Judge